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**UNITED STATES DISTRICT COURT**

**SOUTHERN DISTRICT OF CALIFORNIA**

**(HONORABLE JAN M. ADLER)**

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| UNITED STATES OF AMERICA,<br><br>Plaintiff,<br><br>v.<br><br>HECTOR FRANCISCO GALVAN-VELASQUEZ,<br><br>Defendant. | Case No. 08CR1482-DMS (JMA)<br><br>**NOTICE OF MOTIONS AND MOTION TO:**<br><br>**1) SUPPRESS STATEMENTS; and**<br>**2) DISMISS INFORMATION DUE TO FAILURE TO ALLEGE AN ESSENTIAL ELEMENT OF THE OFFENSE.** |

TO: KAREN P. HEWITT, INTERIM UNITED STATES ATTORNEY, and
CALEB MASON, ASSISTANT UNITED STATES ATTORNEY

PLEASE TAKE NOTICE that, at a time to be designated by the Court, the defendant, Hector Franscisco Galvan-Vasquez, by and through his counsel, Devin Burstein and Federal Defenders of San Diego, Inc., will ask the Court to enter an order granting the pretrial motions listed.

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**MOTIONS**

The defendant, Hector Franscisco Galvan-Vasquez, by and through his counsel, Devin Burstein and Federal Defenders of San Diego, Inc., pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law and local rules, hereby moves the Court for an order to:

1) suppress statements; and
2) dismiss the information due to failure to allege an essential element of the offense.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, and all other materials that may come to the Court's attention at the time of the hearing on these motions.

Respectfully submitted,

*/s/ Devin J. Burstein*

Dated: May 9, 2008

DEVIN BURSTEIN
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Galvan-Vasquez